

## Sensation of the Year

# Billiken

# Billiken

## The

# Billiken Doll

The very latest fad  
See our window display  
and see what  
**Billiken**

has to say. The Billiken  
Doll is unbreakable. Only  
a limited quantity.

## Sachs',

Corner Fort and Beretania Sts.

## SPRECKELS WILL IS ARGUED AT LENGTH

### Summing Up of Law In Dealing With Property Division

SAN FRANCISCO, Oct. 15.—The Claus Spreckels will case, one of the most notable probate contests that has ever been waged in the local courts, was submitted yesterday to Superior Judge Coffey, for final decision. Peter F. Dunne, attorney for the contestants, John D. and Adolph B. Spreckels, finished his exhaustive argument, which has occupied several days of the court's time, and the case was declared closed save for the handing down of the court's decision.

Technically the battle, which has been fought for nearly four weeks with every legal weapon in the possession of the most skillful lawyers, has not been a direct contest of the will, but to all practical intents it has been the real struggle to determine the validity or invalidity of the will by which the sugar king attempted to provide for the disposition of his millions.

**Attack on Trust Clause.**  
The attack on the will originated in a demurrer filed by the contestants in connection with a petition for a partial distribution of the estate filed by Rudolph and Claus Augustus, the executors named in the will. The contest thus far has been confined to an attack upon the validity of the trust clause of the will. Should the court rule in favor of the contestants the will must fall and nothing remains to the legatees named therein but an appeal to the supreme court for a reversal of the superior court decision. If Judge Coffey should decide in favor of the proponents the contestants would still be entitled to attack the document on other grounds.

The attack of the contestants has been the most thorough exposition of the law relative to trusts under a will that has been made before a California court since the James Fair will was in litigation. The Fair will decision, incidentally, has had an important bearing on the present case and the arguments before Judge Coffey have attracted the close attention of many students of the law, who have followed the arguments of the opposing attorneys with utmost interest.

**Four Points of Attack.**  
In brief the case of the contestants as presented by Dunne and A. F. Morrison, who made the opening argument in the case, has been summed up under four general divisions. Between them these two attorneys have thrashed out very last detail. Hundreds of cases have been cited in support of their contentions and the controversy has been summed up with a logical analysis of law and fact that has made their position almost impregnable.

The four points upon which the contestants rely are substantially these: The trust clause of the will is unlawful and invalid because it attempts to establish a trust to convey realty, which is not allowable under California statutes; the realty clause can not be thrown down and the personality clause sustained for the reason that the personality and realty of the estate are so inseparably interblended that the fall of the one must drag the other with it; the will provides for an illegal suspension of the power of alienation, in that its provisions extend to a period not covered by the lives of persons in being at the time of the death of the testator; the provisions of the will do not come within the law respecting perpetuities in that they fail to eliminate the possibility of the estate vesting in the beneficiaries during the lives of persons in being at the death of the testator.

**New York Case Quoted.**  
Dunne occupied the two sessions of court yesterday with a discussion of the two latter general subdivisions of his argument, elaborating upon his former contentions respecting the subject of contingent limitations. He dwelt at length upon the decision of the court in the *Manice* case in New York, upon which considerable reliance was placed by the proponents, and showed the distinction between that and the case under consideration. This distinction, he argued, was that between an estate in trust and the mere exercise of power in trust.

Dunne asserted that Judge Rapallo's decision in the *Manice* case was consonant with the law of New York based on the enabling legislation of that state by means of which a testator's purpose might sometimes be executed as a power in trust where otherwise it would fall entirely as an illegal trust.

**Tribute Paid to Court.**  
Dunne pointed out that no such enabling legislation existed in California, and that under the statutes of this state no power in trust could be read into a will. He closed his address with a word of thanks to the court and opposing attorneys for the manner in which the Spreckels case has been conducted.

"As the longest night must at last break into dawn," he said, "so must the longest speech come to an end."

some time. During all this lengthy argument, which has extended over many days, it has been a compensation to me and to my colleagues to be confronted by such able, courteous and indefatigable opponents as those whom we have met here. And it has been a compensation to us to be able to deliver our arguments in and before a court like this, the patience, courtesy and consideration of which I have never seen outside or surpassed by any court in the land."

Judge Coffey, in taking the case under consideration, granted to the attorneys of each side five days in which to prepare and file a list of authorities which have been cited in argument.

## JAPANESE MURDERER READY FOR TRIAL

Kanagawa, charged with the murder of Rio, a pretty little Japanese girl in the employ of Judge Lindsey, is reported as rapidly recovering from the self-inflicted wounds administered on last Wednesday night.

Kanagawa attempted to sever his jugular vein and windpipe, but failed in his purpose by the timely arrival of Judge Lindsey and some members of his household.

Kanagawa has been on inmate of Queen's Hospital since the night of the gruesome crime. The gash cut in his neck has healed and he will soon be transferred to Oahu prison, there to await arraignment and a preliminary hearing.

## FRENCH OR GERMAN IN FIVE WEEKS.

At the request of many who were unable to take the summer course Mr. Mathews will give another five weeks' course in conversational French and German. Free lectures at the Young Hotel next Thursday and Friday. 4453-11

Bulletin Business Office Phone 946  
Editorial Room Phone 185.

## WANTS

### SALES LADIES WANTED.

Wanted—for our sale beginning Monday, six sales ladies. Apply Saturday morning. JORDAN'S. 4453-21

### WANTED

Young Man — Energetic business hustler; salary and commission; best references required. Address D. B. G. 4453-31

## Rockefeller Donates Million To Fight the Death Worm

NEW YORK, Oct. 28.—John D. Rockefeller has announced that he will give a million dollars to fight the hookworm which it is claimed is responsible for the miserable condition of many thousands of people in the South. He provides in making his munificent donation that the conduct of the fight against the disease shall be in the hands of a competent commission of scientists.

The appalling condition of thousands of the so-called "poor whites" of the South, and of a large proportion of the negro population, also, has been recently discovered to be due, not to laziness and general shiftlessness, as was for a long time supposed, but to the presence in the human body of a parasite called the hookworm. Thorough scientific investigation has disclosed the fact that this parasite saps the blood and thereby the energy of the victim, producing dullness, listlessness and often death. Many of the victims of the hookworm, in the worst stages of the disease, become addicted to the dirt-eating habit, and are called throughout the South "clay-eaters."

In some districts of the South there is hardly a person who is not afflicted with the hookworm disease, which in the end either kills its victim or renders the person afflicted incapable of earning a living. It is believed now that the disease is largely accountable for the slowness of certain of the Southern States in catching up with the rest of the country as regards general prosperity.

### CONGO REFORMS OUTLINED.

BRUSSELS, Oct. 28.—The Belgian government has outlined its proposed Congo reforms. These include a lower taxation of the inhabitants of the Congo district and the establishment of schools for the native children.

The government was forced to take action by the recent exposure by an officer of the rubber company of the appalling conditions that exist in the Congo. The statement that during the past two years large numbers of blacks have been murdered by agents of the company and several villages burned aroused the people to such an extent that the government could not ignore the matter.

The first exposure of the horrible conditions prevailing in the Congo was made in 1904 by two American missionaries, Dr. W. H. Morrison and Dr. W. H. Sheppard. They proclaimed that the Kasai Rubber Company, of which the Belgian government holds half the stock, and which is actually the government of the Congo, was responsible for wholesale butchery, being actuated purely and simply by greed. The story aroused great excitement, not only in the United States, but also in every civilized country.

### ENGLAND'S QUEEN BELIEVES COOK.

HAMILTON, Mont., Oct. 28.—Explorer Cook, who claims to have discovered the North Pole, has been assured of the confidence of the Queen of England. Queen Alexandra believes that his story is true and that he really did make the wonderful successful dash for the pole which he says he made.

Cook was confronted at a public meeting today by Barrill, his former guide on the expedition up Mt. McKinley. Barrill claims that Cook never reached the top of the mountain, but faked his account and also, with the assistance of a photographer, the pictures. The question of the veracity of the two men came to a vote and the audience voted its confidence in Barrill and the story he tells. Barrill is a Montana man.

### PRESIDENT REACHES VICKSBURG.

VICKSBURG, Miss., Oct. 28.—President Taft arrived here late tonight from Helena on his four-day trip down the river. The steamer in which he is traveling left most of the river fleet in the rear. The President will stop at Natchez and Baton Rouge Friday, and Saturday will arrive at New Orleans.

# Mighty Severe Price Cuts

IT'S A CASE OF SACRIFICE ON OUR PART—conditions that require just such price concessions. Perhaps the reductions we make are too severe, but in our determination to make an absolute clearance we do not consider the cost, nor do we hesitate to take the loss that these deep price cuts must naturally entail.

## Sale Now Going On

MEN'S PANTS, in all the most desirable Patterns, from 30 to 44 waist, \$1.15 A Pair		300 MEN'S SUITS, all sizes to close at ridiculous price of \$5.00 The Suit		BOYS' and YOUTHS' SUITS, in Knee and Long Pants - \$1.85 The Suit	
Boys' Knee and Knickerbocker Pants,	Boys' Two Piece Cotton Crash Suits,	Men's Straw Hats; all Styles and Sizes,	Boys' Straw Hats; twelve different Shapes,	Men's Soft and Stiff Hats; in Black, Brown and Grey,	Boys' Sweaters—In Turtle Neck and Sailor Collars
45c a Pair	30c the Suit	25c	15c	45c	At 15c
Men's White Stiff Bosom Shirts; Sizes 14 to 18.	Men's Soft Golf Shirts; a lot of Very Pretty Patterns,	Four-Ply Linen Collars; regular 2 for 25,	Men's Golf Shirts; Coat Cuff Attached—All Light Patterns,	Men's Elastic Seam Drawers—All Sizes,	Boys' Fine Ribbed Tan Stockings
Sizes 14 to 18 25c	40c	5c each	65c	35c a pair	15c a pair
Men's Coats, unlined; fine for office wear,	Men's and Boys' Neckwear; All Styles—Your choice	Men's White Wash and Flannel Vests; all sizes,	Men's Lightweight Underwear; Blue, Pink and Ecru,	Boys' Wash Suits—Russian Blouse Effect,	Men's Wool Underwear Drawers
20c	10c	55c	30c a garment	85c the suit	only 25c a pair

Cor. Fort and  
Hotel Sts.

# The Kash Co., Ltd.,

Cor. Fort and  
Hotel Sts.